

**Introduced by Senator Knight
(Coauthors: Senators Gaines, Huff, and Nielsen)**

February 19, 2014

An act to add Section 707.1 to the Public Resources Code, relating to the Department of Forestry and Fire Protection.

LEGISLATIVE COUNSEL'S DIGEST

SB 1075, as introduced, Knight. Department of Forestry and Fire Protection: civil cost recovery.

Existing law requires a person, who, among other things, negligently, or in violation of the law, sets a fire, allows a fire to be set, or allows a fire to escape onto any public or private property, to be liable for fire suppression costs incurred in fighting the fire and for rescue or emergency medical services. Existing law authorizes public agencies participating in the fire suppression, rescue, or emergency medical services to designate one or more agencies to bring an action to recover the costs incurred by all the participating agencies. Among other things, the Department of Forestry and Fire Protection is responsible for providing fire protection and prevention. Existing law provides that the General Fund consists of moneys received into the Treasury and not required by law to be credited to any other fund.

This bill would require any moneys recovered by the department in a civil action described above to be deposited by the department into the Treasury to the credit of the General Fund. This provision would apply retroactively to any moneys recovered and retained by the department prior to January 1, 2015.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 707.1 is added to the Public Resources
2 Code, to read:
3 707.1. (a) Any moneys recovered by the department in a civil
4 action to recover costs related to fire suppression, rescue, or
5 emergency medical services pursuant to Section 13009 of the
6 Health and Safety Code shall be deposited by the department into
7 the Treasury to the credit of the General Fund.
8 (b) Subdivision (a) shall also apply to any moneys recovered
9 in a civil action pursuant to Section 13009 of the Health and Safety
10 Code, and retained by the department, prior to January 1, 2015.